

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARILYN BYRNE,
Plaintiff

V.

BOSTON MUTUAL LIFE INSURANCE
COMPANY,
Defendant

CIVIL ACTION NO. 05-10663GAO

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Local Rule 16.1, the defendant, Boston Mutual Life Insurance Company (“Boston Mutual”), and the plaintiff, Marilyn Byrne, hereby file this joint statement.

This is an ERISA case. Ms. Byrne seeks to recover long-term disability benefits pursuant to Group Long-Term Disability Insurance Policy No. G-50187 (the “Policy”) issued by Boston Mutual to her employer as part of its employee welfare benefit plan.

Boston Mutual paid long-term disability benefits to the plaintiff from March 1, 1999 through January 19, 2004. Boston Mutual denied the plaintiff’s claim for long-term disability benefits beyond January 19, 2004. Ms. Byrne has exhausted her administrative remedies and received a final denial on her claim for long-term disability benefits. Thereafter, she filed this lawsuit whereby she seeks to recover long-term disability benefits beyond January 19, 2004. Boston Mutual denies that Ms. Byrne is entitled to the relief she seeks.

PROPOSED PRETRIAL SCHEDULE

The parties propose the following pre-trial schedule:

1. Amendments to the pleadings by January 30, 2006.

2. All dispositive motions, including motions for summary judgment, are to be filed by June 30, 2006, responses are to be filed fourteen (14) days thereafter.

TRIAL BY MAGISTRATE

The parties do not consent to referral to the Magistrate Judge.

CERTIFICATIONS

The certification of Boston Mutual Life Insurance Company is attached. The certification of Marilyn Byrne will be filed separately.

MARILYN BYRNE

BOSTON MUTUAL LIFE INSURANCE
COMPANY

By her attorney,

By its attorneys,

/s/ Richard K. Latimer

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/s/ Joseph M. Hamilton

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Dated: January 17, 2006

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MARILYN BYRNE,
Plaintiff

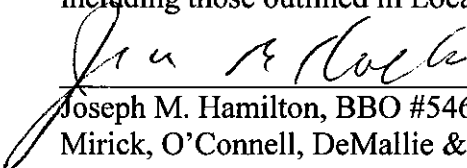
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LOCAL RULE 16.1(D)(3) CERTIFICATION

We, Joseph M. Hamilton, attorney for defendant, Boston Mutual Life Insurance Company, and Ralph Diller, its authorized representative, hereby certify that we have conferred with respect to establishing a budget for the cost of conducting the full course, and various alternative courses of the litigation through the use of alternative dispute resolution programs including those outlined in Local Rule 16.4.



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Dated: 1/17/06